

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING )	
PHARMACY PRODUCTS )	
LIABILITY LITIGATION )	MDL No. 1:13-md-2419-FDS
)	
This Document Relates to: )	Judge Rya Zobel
)	
All Cases )	
)	


AFFIDAVIT OF MATTHEW P. MORIARTY

Being first duly sworn, Affiant states:

1. This Affidavit supplements my Affidavit of May 22, 2015, attached hereto. Since that time, Tucker Ellis LLP has been permitted to withdraw as Counsel for Ameridose in this litigation.
2. As stated in my prior Affidavit, not all of the information collected from Ameridose was "processed." See May 22, 2015 Affidavit, at ¶ 8. Only 2,048 GB of data was processed and loaded into a searchable database, at a cost of approximately \$600,000. There was a monthly hosting fee for that database of \$3,700. All of these costs were paid for by Ameridose's insurer until its obligation terminated in early June, at which time this database was discontinued. The database is no longer hosted on a platform that allows the information to be searched and utilized in a discovery context. Ameridose cannot afford to pay the monthly hosting fees to maintain access to this database.
3. My understanding is that it will cost approximately \$11,000 to reactivate the existing database. The underlying information in the database is preserved until October 3, 2015, after which the vendor would have to re-load the data, at substantially higher cost. The server has been preserved.
4. There are approximately 5,242.19 GB of **raw data** that were not processed at the outset of the litigation. My understanding is that the cost of processing this raw data to be approximately \$1,600,000. The emphasis on "raw data" is significant because once these hard drives are loaded into the database, the amount of data actually increases because (i) the data becomes uncompressed once it is loaded into the database, and (ii) metadata is removed from the raw data and becomes its own, separate file(s). Therefore, the cost to process the raw data could increase significantly once it is loaded into the database.

5. In addition to the costs associated with processing the 5,242.19 GB of unprocessed data, I understand that the monthly costs to host a searchable database containing the previously processed data and this new data would be approximately \$106,000.
6. Ameridose cannot afford any of these costs. It has not been operating for years, and as stated above, the obligations of Ameridose's insurance carrier terminated in early-June.

Further Affiant Sayeth Naught.

  
Matthew P. Moriarty

8k Sworn to and subscribed before me, a Notary Public in the above state and county, this day of September, 2015.

  
Notary Public



PETER A. IGEL  
Attorney at Law  
Notary Public, State of Ohio  
My commission has  
no expiration date.  
Section 147.03 O.R.C.